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8 Attorneys for Plaintiff and Counterdefendant,
9 AT&T CORP.

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11 UNITED STATES DISTRICT COURT
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13 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION
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15 AT&T CORP.,

16 Plaintiff,

17 v.

18 DATAWAY INC. dba DATAWAY
19 DESIGNS,

20 Defendants.
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) Case No. C07-02440 EDL

) (PROPOSED) AMENDED JUDGMENT

) [F.R.C.P., Rule 54]
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23 This action came before the Court, Magistrate Judge, Elizabeth D. Laporte presiding,
24 and the issues have been duly heard and considered and a decision having been fully
25 rendered,
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27 IT IS ORDERED, ADJUDGED AND DECREED that in accordance with the Court's
28 Order of August 14, 2008, AT&T Corp.'s Motion for Summary Judgment is GRANTED, to
wit: (1) Plaintiff AT&T Corp. is entitled to judgment on the Complaint of Plaintiff AT&T
Corp. against Defendant Dataway Inc. dba Dataway Designs in the sum of \$11,534.67,
together with prejudgment interest of \$3,920.41 (based upon \$5.69 per day from September
25, 2006 through August 14, 2008 [689 days]); (2) Counterclaimant Dataway Inc. dba
Dataway Designs is entitled to nothing on the Counterclaim of Counterclaimant Dataway Inc.

1 dba Dataway Designs; and (3) Costs and attorney's fees, if any, shall be claimed and
2 contested in accordance with F.R.C.P., Rule 54(d) and Local Rule 54.

3 DATED:

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5 THE HONORABLE ELIZABETH D. LAPORTE
6 MAGISTRATE JUDGE
7 UNITED STATES DISTRICT COURT
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I, Timothy Carl Aires, am employed in the aforesaid county, State of California; I am over the age of eighteen years and not a party to the within action; my business address is: 180 Newport Center Drive, Suite 260, Newport Beach, California 92660.

On August 14, 2008, I served the document entitled: *(Proposed) Amended Judgment* on all interested parties in this action by placing a true and correct copy thereof, enclosed in a sealed envelope, addressed as follows:

Anne Leith-Matlock, Esq. (anne-leith@matlocklawgroup.com)
Matlock Law Group, PC
1485 Treat Boulevard, Suite 200
Walnut Creek, CA 94597

(check applicable paragraphs)

☒ (BY MAIL IN THE ORDINARY COURSE OF BUSINESS) I am readily familiar with the business practice for collection and processing of correspondence for mailing with the U.S. Postal Service and the fact that correspondence would be deposited with the U.S. Postal Service that same day in the ordinary course of business; On this date, the above-named correspondence was placed for deposit at Newport Beach, CA and placed for collection and mailing following ordinary business practices.

☐ (BY PERSONAL SERVICE) I caused such document to be served by hand on the addressee.

☐ (BY EXPRESS SERVICE) I caused such document to be deposited in a box or other facility regularly maintained by the express service carrier or delivered to an authorized courier or driver authorized by the express service carrier to receive documents, in an envelope or package designated by the express service carrier with delivery fees paid or provided for, addressed to the person on whom it is to be served.

☐ (State) I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

☒ (Federal) I declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct, and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on August 14, 2008

Signature of Declarant